

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Frankie Cornell Ellis Jr.

**Docket No. 4:07-CR-26-1M
5:07-CR-60-1M**

Petition for Action on Supervised Release

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Frankie Cornell Ellis Jr., who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924 Conspiracy to Distribute and Possess With the Intent to Distribute 50 Grams or More of Cocaine Base (Crack), in violation of 21 U.S.C. 846, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on August 4, 2008, to the custody of the Bureau of Prisons for a term of 262 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On October 24, 2019, pursuant to 18 U.S.C. § 3582(c)(1)(B), the sentence of imprisonment was reduced to 188 months and his term of supervised release was reduced to 4 years.

Frankie Cornell Ellis Jr. was released from custody on May 23, 2022, at which time the term of supervised release commenced.

On June 22, 2022, at the Courts direction, the case was reassigned to Chief U.S. District Judge, Richard E. Myers II.

A violation report was submitted on June 6, 2022, alleging that Ellis was charged with the new criminal conduct of misdemeanor Driving While License Revoked Not Impaired Revocation and Failure to Maintain Lane Control. On June 7, 2022, supervision was permitted to continue.

A Petition for Action on Supervised Release was submitted to the Court after the defendant tested positive for marijuana and cocaine. On September 28, 2022, the Court approved the petition continuing the defendant on supervision and striking the special condition of supervised release that orders while under supervision in the Eastern District of North Carolina, the defendant shall further abide by rules and regulations of the NCE Sex Offender Program.

A violation report was submitted on July 12, 2023, advising the Court that the defendant missed his scheduled polygraph examination. On July 12, 2023, supervision was permitted to continue.

A violation report was submitted on February 1, 2024, alleging that Ellis was charged with the new criminal conduct of misdemeanor Driving While License Revoked Not Impaired Revocation. On February 2, 2024, supervision was permitted to continue.

A violation report was submitted on May 9, 2024, alleging that Ellis was charged with the new criminal conduct of misdemeanor Driving While License Revoked Not Impaired Revocation. On May 10, 2024, supervision was permitted to continue.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On June 13, 2024, the defendant committed, and was charged with, the new misdemeanor offenses of Driving While License Revoked Impaired Revocation and Speeding 78/55, by the North Carolina State Highway Patrol (NCSHP), out of Wayne County, North Carolina (24CR703868). This matter remains pending in Wayne County District Court. On June 14, 2024, when confronted, Ellis admitted to operating a motor vehicle. Ellis was verbally reprimanded for his actions and expressed remorse. To address the continued non-compliance, it is respectfully recommended that Ellis participate in Moral Recognition Therapy through Coastal Horizons Center in Wilmington, North Carolina, which will increase his likelihood of success on supervision. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: June 17, 2024

ORDER OF THE COURT

Considered and ordered this 18th day of June, 2024, and ordered filed and made a part of the records in the above case.

Richard E. Myers II
Richard E. Myers II
Chief U.S. District Judge